

TAB A

Federal Employees' Compensation Act

General.

The Federal Employees' Compensation Act provides that the United States shall pay compensation (as set forth in general below) for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty and for the administration of the Act by the Bureau of Employees Compensation, Department of Labor. However, no compensation shall be paid by the Bureau if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the injured employee is the proximate cause of the injury or death.

Definitions.

The Act defines "employee" to include all civil officers and employees of all branches of the Federal Government, including officers and employees of instrumentalities of the United States wholly owned by the United States, and persons rendering personal services of a kind similar to those of civilian officers and employees of the United States to any department, independent establishment, or agency thereof, without compensation or for nominal compensation, in any case in which acceptance or use of such services is authorized by an Act of Congress or in which provision is made by law for payment of the travel or other expenses of such person. It defines the term "injury" to include, in addition to injury by accident, any disease proximately caused by the employment. The term "compensation" is defined as including the money allowance payable to an employee or his dependents as well as any other benefits (such as hospital expenses) paid for out of the compensation fund.

Exclusiveness of Remedy.

Section 7(b) of the Act provides that the liability of the United States, or any of its instrumentalities, under the Act or any extension

thereof with respect to the injury or death of an employee shall be exclusive, and in place, of all other liability of the United States or such instrumentality to the employee, his legal representative, spouse, dependents, next of kin, and anyone otherwise entitled to recover damages from the United States or such instrumentality, on account of such injury or death, in any direct judicial proceedings in a civil action or in admiralty, or by proceedings, whether administrative or judicial, under any other workmen's compensation law or under any Federal tort liability statute.

Compensation Benefits.

The following schedule sets forth, in general, employee benefits under FECA.

<u>Type</u>	<u>Qualifications</u>	<u>Amount</u>
1. Hospital and medical expenses	If approved facilities used and procedures followed	Varies with case.
2. Travel to place of treatment	If local facilities are not suitable or available	Varies with case
3. Services of an attendant	If Administrator finds it necessary because employee is helpless as to require constant attention	Not to exceed \$75 per month
4. Compensation for time lost	If desired. May take accrued sick and annual leave	66 2/3% of monthly salary or schedule award
5. Augmented compensation for dependents	If one or more dependents, Wife, Husband, Unmarried child, Parent	8 1/3% of monthly pay (Limited to that part of monthly pay not in excess of \$420)

6. Funeral bills	If death results from the injury	Not to exceed \$400 At the discretion of the Administrator
7. Death Benefits		
a. Widow	Until remarriage or death	45%
b. Widower	If wholly dependent upon wife. ('Til re-marriage, death or capable of self-support)	45%
c. Children	'Til child marries, dies, or reaches 18	To widow 40%, and 15% for each child not to exceed 75%
d. Orphan children	'Til child marries, dies, or reaches 18	35% for one child and 15% for each additional child not to exceed 75% divided among such children share and share alike
e. Parents	(1) If one dependent and one not (2) If both are dependent	(1) 25% (2) 20% to each
f. Other dependents	(1) If one dependent (2) If more than one (3) If one wholly dependent but one or more only partially dependent	(1) 25% (2) 30% share alike (3) 10% share alike

ANNEX I - TAB A

Territories and Possessions of the United States

Territories

Hawaii
Alaska

Possessions

Puerto Rico
Canal Zone
Cora Islands
Guam
Virgin Islands of the United States
American Samoa
Midway Islands
Wake Island
Canton Island
Enderbury Island
Johnson Island
Sand Island
Swan Island
Trust Territory of the Pacific Islands

Northern Marianas
Caroline Islands
Marshall Islands